

**REMARKS**

Claims 1-3 are pending in the application and are rejected. Claims 1 and 2 are herein amended. No new matter has been added. Applicants thank Examiner Young for the courtesies extended in the telephone interview of November 18, 2011. Applicants' Statement of the Substance of the Interview is incorporated herein.

**Applicants' Response to Claim Rejections under 35 U.S.C. §112**

**Claims 1-3 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

It is the position of the Office Action that claim 1 is unclear with respect to the recitation that "only when the inhaler aid is joined to a mouthpiece of the inhaler for the minute powdery curative medicine and an inhalation has been correctly performed, a sound is produced from the reed." In particular, the Office Action states that it appears that applicant's reed would still create a noise regardless of whether the aid was joined with the mouthpiece if a certain flow rate was produced.

In response, as discussed in the telephone interview of November 18, 2011, Applicants note that when an inhaler is not attached to a horn-shaped junction, there is zero or almost zero air flow passing through the body 3a, 3b, and 3f, and the holding members 2a, 2b, 2d from horn-shaped junction. Thus, the reed does not create a noise. The reed makes a noise only when the commercially available inhaler is attached, and inhalation has been correctly performed.

However, in order to expedite examination, as per the Examiner's suggestion in the telephone interview, Applicants herein amend the claims to clarify this issue. In particular,

Applicants herein amend claim 1 to recite that “when the inhaler aid is joined to a mouthpiece of the inhaler for the minute powdery curative medicine, a sound is produced from the reed only when an inhalation has been correctly performed.” Claim 2 is similarly amended. Accordingly, Applicants respectfully submit that claims 1-3 as amended fully comply with the requirements of 35 U.S.C. §112. Favorable reconsideration is respectfully requested.

**Applicants’ Response to Claim Rejections under 35 U.S.C. §103**

**Claims 1-3 are rejected under 35 U.S.C. 1 03(a) as being unpatentable over Kinkade (U.S. Patent No. 5,062,422) in view of Steiner et al. (U.S. Patent Application Publication No. 2004/0182387), Foley (U.S. Patent No. 5,042,467) and MacRae et al. (U.S. Patent Application Publication No. 2002/0046751).**

It is the position of the Office Action that Kinkade discloses the embodiments as claimed, with the exception of teaching (i) a reed that produces a sound when an inhalation has been correctly performed, (ii) that a reed is located on the main unit and produces the sound when the inhaler aid is joined to the mouthpiece, (iii) that the reed is located on the right side of the main unit, and (iv) that the main unit is made from silicon rubber. The Office Action relies on Steiner to teach (i), relies on Foley to teach (ii), argues that (iii) would have been obvious, and relies on MacRae to teach (iv).

In response, Applicants herein amend the claims to clarify one of the key features of the claimed embodiments. As illustrated in Figures 10-15, the inhaler aid can be fitted to at least three different common commercially available inhaler types. These are the Flutide Discus (GlaxoSmithKline), Pulmicort Turbuhaler (AstraZeneca), and the Diskhaler (GlaxoSmithKline).

This universal fit function is at least due to the saddle shape of the junction 3 and the silicon rubber material of the junction. This is more clearly illustrated in the photographs sent to the Examiner via email and made of record in PAIR.

As discussed in the telephone interview, Applicants herein amend claims 1 and 2 to recite this structural feature. In particular, Applicants herein amend the claims to recite that the junction has “a horn-shape in plan view such that a front joint piece and a rear joint piece of the junction project further in a longitudinal direction than left and right lateral ends of the junction, and [has] an arched shape in side view such that said front joint piece and said rear joint piece correspond to bases of the arched shape and the left and right lateral ends correspond to a top of the arched shape.” This is supported at least by Figures 1-5 and the corresponding text.

Additionally, Applicants respectfully submit that it would not have been obvious to modify the cited art in order to arrive at the claimed structure. Applicants note that none of the cited art discloses or suggests the idea of an inhaler aid being adapted to fit more than one variety of inhaler. Furthermore, Applicants respectfully submit that even if, *arguendo*, it would have been obvious to seek to design an inhaler aid which is compatible with more than one variety of inhaler, there is no reason why one having ordinary skill in the art would have modified the combination of cited art in order to have the specific recited structure. There is no reason why one having ordinary skill in the art would have modified the cited art in order to have this saddle-shaped junction having a horn shape in plan view and an arch shape in side view. Favorable reconsideration is respectfully requested.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,  
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